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Intellectual Property Law

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TO: Ruth A Davis
USPTO FACSIMILE NO.: 1 571 273-0915
USPTO REFERENCE: Applicant: MORTON, KEVIN
Serial No.: 09/870402
Filed: 30-May-2001
Title: NONINVASIVE INTRADUCTAL FLUID
DIAGNOSTIC SCREEN
ATTORNEY: Rose M. Thiessen
PHONE NO.: (619) 235-8550
ATTORNEY DOCKET NO.: NEOMTRX.004A
TOTAL PAGES: 11 (INCLUDING COVER SHEET)
DATE: September 20, 2004

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MESSAGE: *Please see the attached:*

1. Exhibit A referred to in the Affidavit for the above referenced patent application.

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Orange County
949-720-0404

San Francisco
415-054-1111

Los Angeles
310-551-3450

Riverside
951-781-9231

San Luis Obispo
805-547-5580

NEOMTRX.001A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Covington, et al.)
)
Assignees: NeoMatrix, LLC and)
Wayne State University)
)
Patent No.: 6,517,513)
)
Issued: February 11, 2003)
)
For: INTRADUCTAL BREAST FLUID)
ASPIRATION DEVICE)
)

PETITION UNDER 37 C.F.R. § 1.324
FOR CORRECTION OF INVENTORSHIP
OF U.S. PATENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop: Petition

Dear Sir:

Pursuant to 35 U.S.C. § 256, 37 C.F.R. § 1.324, and M.P.E.P. § 1481, NeoMatrix, LLC and Wayne State University, the assignees, hereby petition the Commissioner to correct the inventorship of the above-referenced patent by deleting Chandice Covington as an inventor. Kevin Morton and Chandice Covington are currently listed as joint inventors.

Pursuant to 37 C.F.R. § 1.324, this Petition is accompanied by (1) a statement from Chandice Covington, a current named inventor, that inclusion of her as a named inventor occurred without deceptive intention on her part, and that she agrees to the requested change of inventorship; (2) a statement from Kevin Morton, a current named inventor, that he agrees to the

Patent No.: 6,517,513
Issued: February 11, 2003

requested change of inventorship; (3) a statement from the assignee, NeoMatrix, LLC, Inc., indicating agreement to the change of inventorship; (4) a statement from the assignee, Wayne State University, indicating agreement to the change of inventorship; and (5) the petition fee set forth in 37 C.F.R. § 1.20(b).

Pursuant to M.P.E.P. § 1485, also enclosed are two copies of a Certificate of Correction, form PTO-1050, suggesting the manner in which the requested correction of inventorship be made.

If any issues remain following consideration of this petition, please call the undersigned attorney.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4/12/04

By: 

Rose M. Thiessen
Registration No. 40,202
Attorney of Record
Customer No. 20,995
(619) 235-8550

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NBOMTRX.001A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Covington, et al.)
)
Assignees: NeoMatrix, LLC and)
Wayne State University)
)
Patent No.: 6,517,513)
)
Issued: February 11, 2003)
)
For: INTRADUCTAL BREAST FLUID)
ASPIRATION DEVICE)
)

STATEMENT OF CHANDICE COVINGTON
CONSENTING TO THE DELETION OF CHANDICE COVINGTON
AS AN INVENTOR UNDER 37 C.F.R. § 1.324

I, Chandice Covington, declare as follows:

1. I am a citizen of the United States of America, residing at 827 Levering Ave., Unit 201, Los Angeles, California 90024.
2. Kevin Morton and I are currently listed as joint inventors in the above referenced patent.
3. I believe that I should not be named as an inventor, and that my inclusion as a named inventor when the patent was issued was due to an inadvertent error and without deceptive intention on my part.
4. I agree to the deletion of myself as an inventor in U.S. Patent No. 6,517,513.
5. I declare that all statements made herein are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Patent No.: 6,517,513
Issued: February 11, 2003

Dated: 3/27/04

Signed: Chandice G. Covington
Chandice Covington

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NEOMTRX.001A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Covington, et al.)
Assignees: NeoMatrix, LLC and)
Wayno State University)
Patent No.: 6,517,513)
Issued: February 11, 2003)
For: INTRADUCTAL BREAST FLUID)
ASPIRATION DEVICE)

STATEMENT OF KEVIN MORTON
CONSENTING TO THE DELETION OF CHANDICE COVINGTON
AS AN INVENTOR UNDER 37 C.F.R. § 1.324

I, Kevin Morton, declare as follows:

1. I am a citizen of the United States of America, residing at 33 Lewiston Court, Ladera Ranch, California 92694.
2. Chandice Covington and I are currently listed as joint inventors in the above referenced patent.
3. I agree to the deletion of Chandice Covington as an inventor in U.S. Patent No. 6,517,513.
4. I declare that all statements made herein are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 4/6/04

Signed: [Signature]

Kevin Morton

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NEOMTRX.001A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Covington, et al.)
)
Assignees: NeoMatrix, LLC and)
Wayne State University)
)
Patent No.: 6,517,513)
)
Issued: February 11, 2003)
)
For: INTRADUCTAL BREAST FLUID)
ASPIRATION DEVICE)
)

STATEMENT OF NEOMATRIX, LLC
CONSENTING TO THE DELETION OF CHANDICE COVINGTON
AS AN INVENTOR UNDER 37 C.F.R. § 1.324

This is a statement by NeoMatrix, LLC (the "Assignee") consenting and agreeing to the deletion of Chandice Covington as an inventor on the patent and patent application referenced above. NeoMatrix, LLC and Wayne State University are joint assignees of U.S. Patent No. 6,517,513. Kevin Morton and Chandice Covington are currently listed as joint inventors. The person signing this statement is authorized to act on behalf of the Assignee.

The assignment from the inventors to NeoMatrix, Inc. and Wayne State University is recorded in the USPTO Assignment Division at Reel/Frame 011160/0057 (recorded October 2, 2000). The Contribution and Dissolution Agreement executed July 13, 2000, whereby NeoMatrix, Inc. was dissolved and whereby 100% of the assets of NeoMatrix, Inc. were irrevocably distributed, transferred, and assigned to NeoMatrix, LLC, is recorded in the USPTO Assignment Division at Reel/Frame 013603/0859 (recorded December 24, 2002). The foregoing documents represent the complete chain of title for U.S. Patent No. 6,517,513 from the inventors to NeoMatrix, LLC and Wayne State University.

The Assignee agrees to the deletion of Chandice Covington as an inventor in U.S. Patent No. 6,517,513.

Patent No.: 6,517,513
Issued: February 11, 2003

I declare that all statements made herein are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

NeoMatrix, I.L.C.

By: [Signature]

Name Printed: Kevin Martin

Title: President

Date: 4-09-04

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120303

NEOMTRX.001A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Covington, et al.)
Assignees: NeoMatrix, LLC and)
Wayne State University)
Patent No.: 6,517,513)
Issued: February 11, 2003)
For: INTRADUCTAL BREAST FLUID)
ASPIRATION DEVICE)

STATEMENT OF WAYNE STATE UNIVERSITY
CONSENTING TO THE DELETION OF CHANDICE COVINGTON
AS AN INVENTOR UNDER 37 C.F.R. § 1.324

This is a statement by Wayne State University (the "Assignee") consenting and agreeing to the deletion of Chandice Covington as an inventor on the patent and patent application referenced above. NeoMatrix, LLC and Wayne State University are joint assignees of U.S. Patent No. 6,517,513. Kevin Morton and Chandice Covington are currently listed as joint inventors. The person signing this statement is authorized to act on behalf of the Assignee.

The assignment from the inventors to NeoMatrix, Inc. and Wayne State University is recorded in the USPTO Assignment Division at Reel/Frame 011160/0057 (recorded October 2, 2000). The Contribution and Dissolution Agreement executed July 13, 2000, whereby NeoMatrix, Inc. was dissolved and whereby 100% of the assets of NeoMatrix, Inc. were irrevocably distributed, transferred, and assigned to NeoMatrix, LLC, is recorded in the USPTO Assignment Division at Reel/Frame 013603/0859 (recorded December 24, 2002). The foregoing documents represent the complete chain of title for U.S. Patent No. 6,517,513 from the inventors to NeoMatrix, LLC and Wayne State University.

The Assignee agrees to the deletion of Chandice Covington as an inventor in U.S. Patent No. 6,517,513.

Patent No.: 6,517,513
Issued: February 11, 2003

I declare that all statements made herein are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Wayne State University

By: *Fred H. Reinhart*

FRED H. REINHART

Name Printed: ASSISTANT VICE PRESIDENT FOR RESEARCH
TECHNOLOGY TRANSFER OFFICE
WAYNE STATE UNIVERSITY

Title: _____

Date: 4/6/04

S:\DOCS\RM\TRMT-2599.DOC
120403

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : 6,517,513

DATED : February 11, 2003

INVENTOR(S): Chandice Covington and Kevin Morton

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the front page, after Inventors, delete:

"Chandice Covington, Clinton Township, MI (US);"

On the front page, after Assignees, delete:

"Wayne State University, Detroit, MI (US)"

At column 1, lines 8-10, delete:

"The present invention was made with U.S. Government support under NIH grant NR03142.
The U.S. Government has certain rights in the invention."

MAILING ADDRESS OF SENDER:

Rose M. Thiessen
KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street, 14th Floor
Irvine, California 92614

PATENT NO. 6,517,513

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December 5, 2003

NEOMTRX.001A

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